

AMENDMENT TO THE DRAWING(S)

Please find enclosed replacement sheets for the drawing sheets on which Figs. 3, 11, 12, and 13 appear, with proposed amendments for Figs. 3, 11, 12, and 13 for the approval of the Examiner.

REMARKS/ARGUMENTS

The drawings were objected to under 37 C.F.R. §1.83(a) because they fail to show reference numeral 26 as described in the specification on page 7, line 2, reference numeral 26 instead appearing in Fig. 13; the internal tracks or grooves 103 as described in the specification on page 5, line 18; and the security screws 108 as described in the specification on page 5, line 24. Reconsideration of the objection is respectfully requested.

With regard to reference numeral 26 appearing in the specification on page 7, lines 3 and 7, reference numeral 26 has been amended to 36 and a replacement sheet for the drawing sheet which Figs. 11 and 12 appear is enclosed herewith for the approval of the Examiner containing proposed amendments to Figs. 11 and 12 amending those drawings in conformity to the change in the specification. With regard to internal tracks or grooves 103 on page 5, line 18 of the specification, a replacement sheet is enclosed herewith for the approval of the Examiner with amendments to Fig. 3 appearing thereon showing the internal tracks or grooves 103 as described in the specification. The reference to the security screws 108 on page 5, line 24 of the specification, has been changed to indicate that the security screws are reference numeral 8, which is already indicated in Fig. 4 of the drawings.

The drawings were objected to under 37 C.F.R. §1.83(a) on the ground that the “ridge disposed on said lid,” as claimed in claim 15, must be shown or the features canceled from the claim. Reconsideration of the objection is respectfully requested.

The specification on page 7, line 26, has been amended to indicate that the raised ridge on pit lid 26 is now referred to with reference numeral 32, and a replacement sheet is enclosed herewith for the approval of the Examiner on which Fig. 13 appears with reference numeral 32 now indicating the raised ridge on pit lid 26.

The disclosure was objected to because on page 7, lines 23, 24, and 25, the phrase “pit lid 26” is mentioned where there is another element described with the same reference number. Reconsideration of the objection is respectfully requested.

Since the references to 26 have been changed to 36, on page 7, lines 3 and 7 of the specification, as previously indicated, it is respectfully submitted that this objection has been overcome since there is no longer another element described with the same reference number as

“pit lid 26.”

Claims 1, 3, 7-9, and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by Kim, U.S. Patent No. 6,550,731, (Kim ‘721). Reconsideration of the rejection is respectfully requested.

Claims 1, 2, and 6 were rejected under 35 U.S.C. §102(e) as being anticipated by Kim, U.S. Patent No. 6,898,882, (Kim ‘882). Reconsideration of the rejection is respectfully requested.

Claims 1, 4, 5, 10, and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over McClasky, U.S. Patent No. 6,343,568 in view of Kim ‘882. Reconsideration of the rejection is respectfully requested.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over McClasky in view of Kim ‘882 and further in view of Krieger, U.S. Patent No. 6,021,614. Reconsideration of the rejection is respectfully requested.

Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over McClasky in view of Kim ‘882 and further in view of Kimball, U.S. Patent No. 546,161. Reconsideration of the rejection is respectfully requested.

Claims 12-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over McClasky in view of Kim ‘882 and further in view of Lurkis, U.S. Patent No. 3,343,322. Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been amended to provide for, “[a] pole assembly for supporting at least one item, the pole assembly comprising at least one tubular column having at least two longitudinally extending external tracks integrally disposed therein, each of said external tracks having a respective groove adjacent thereto, said respective groove being disposed within the interior of said column, at least one of said items being an arm passing through the interior of said column by a hole in said column, said arm being fixedly engaged with at least one of said grooves at a location opposite said hole.”

Antecedent basis for the feature of amended claim 1 of “each of said external tracks having a respective groove adjacent thereto, said respective groove being disposed within the interior of said column” is found in the drawings, for example, in Fig. 1, reference numeral 3

indicating such grooves. Antecedent basis for the feature in amended claim 1 of “at least one of said items being an arm passing through the interior of said column by a hole in said column, said arm being fixedly engaged with at least one of said grooves at a location opposite said hole” is found in the specification, for example, on page 6, line 23, to page 7, line 9, and in the drawings, for example, in Figs. 10, 11, and 12.

Claim 2 has been canceled, without prejudice or disclaimer, as being redundant to amended independent claim 1, from which canceled claim 2 depended.

With regard to Kim ‘731, that reference shows an annular locking member having “a plurality of longitudinal locking grooves 2 on its external surface,” (emphasis supplied), as stated at column 2, lines 44-45. The grooves are disposed on the external surface rather than in the interior of the column, as claimed in claim 1.

Since each of claims 3, 7-9, and 16 is directly or indirectly dependent on claim 1, each of claims 3, 7-9, and 16 is allowable over Kim ‘731 for the same reasons recited above with respect to the allowability of claim 1 over Kim ‘731.

Furthermore, claim 1 is distinguishable from Kim ‘882. Kim ‘882 depicts dovetail-shaped fitting grooves 11 on the external surface of post 10, (column 4, lines 37-40), which are unlike the grooves on the interior of the column, as claimed in claim 1.

Since claim 6 is directly dependent on claim 1, claim 6 is allowable over Kim ‘882 for the same reasons recited above with respect to the allowability of claim 1 over Kim ‘882.

With regard to McClasky, that reference teaches a substantially triangular tubular pole in which a spring clip 24, see Fig. 4, passes through an aperture and biasedly engages with a corner of the pole. Kim ‘882 and McClasky do not, separately or in combination, teach the feature of an arm engaging with a groove, interiorly disposed within the column and adjacent an external track, the groove being disposed opposite to the hole where the arm enters the column, as claimed in claim 1.

Since each of claims 4, 5, 10, and 11 is directly or indirectly dependent on claim 1, each of claims 4, 5, 10, and 11 is allowable over McClasky in view of Kim ‘882 for the same reasons recited above with respect to the allowability of claim 1 over McClasky in view of Kim ‘882.

With regard to claim 9, since claim 9 is directly dependent upon independent claim 1,

claim 9 is allowable over McClasky in view of Kim '882 for the same reasons recited above with respect to the allowability of claim 1 over McClasky in view of Kim '882. With regard to Krieger, it is directed toward protective pole caps for utility poles, not the structure of a pole itself, which is the subject of independent claim 1, and, thus, of dependent claim 9.

With regard to claims 12 and 13, since claims 12 and 13 are indirectly dependent upon independent claim 1, they are allowable over McClasky in view of Kim '882 for the same reasons recited above with respect to the allowability of independent claim 1 over McClasky in view of Kim '882. With regard to Kimball, that reference focuses on the base of a fence post and is not directed toward a pole assembly, as claimed in independent claim 1, and, therefore, in dependent claims 12 and 13.

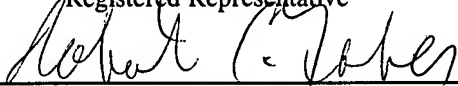
With regard to claims 12-15, each of claims 12-15 is indirectly dependent upon independent claim 1, and, therefore, each of claims 12-15 is allowable over McClasky in view of Kim '882 for the same reasons recited above with respect to the allowability of independent claim 1 over McClasky in view of Kim '882. With regard to Lurkis, that reference focuses on utility pole bases, not upon the structure of a pole assembly, as claimed in independent claim 1, and, therefore, in dependent claims 12-15.

In view of the foregoing amendments and remarks, allowance of claims 1 and 3-16 is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 17, 2007:

Robert C. Faber

Name of applicant, assignee or
Registered Representative



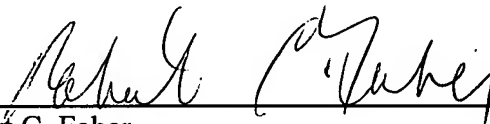
Signature

July 17, 2007

Date of Signature

RCF/MIM:lac

Respectfully submitted,



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